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JOHN F. DAVIS, C.

IN THE  
**SUPREME COURT OF THE UNITED STATES**

OCTOBER TERM, 1969

No. 661

HELENIC LINES LIMITED and UNIVERSAL CARGO CARRIERS, INC.,  
Petitioners,

VS.

ZACHARIAS RHODITIS,  
Respondent.

**PETITIONERS' REPLY BRIEF**

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Although this is a brief in reply to respondent's brief, an effort to respond to each of the assertions of that brief would extend this reply far beyond reasonable limits. Suffice it to say that the respondent's brief does include numerous innuendoes, illogical conclusions and inappropriate citations. Many of these are apparent upon casual reading; some will be touched on in oral argument.

There is, however, one recurrent theme in respondent's brief: an assertion that the Greek flag is one of convenience, readily and cheaply available, which imposed little or no obligation on a shipowner which, it is felt, calls for emphatic response.

Respondent attempts to make of the Greek flag a convenient hiding place for world shipowners who, it is inferred, have no real concern with that nation, and of whom little is required. Nothing could be further from the truth. Petitioner here, as a shipowner and operator, has undertaken for more than 35 years the burdens of a bona fide Greek shipowner with all the obligations imposed thereby. Those obligations are considerable. By virtue of its Greek flag status, Petitioners have employed Greek crews, made regular calls at Greek ports, had vessel repairs made and supplies furnished in Greece and maintained the home office in that nation.

During the year 1969 Hellenic Lines Limited paid in taxes to the Greek government, the sum of \$5,172,000.00. In the same year crew members employed by Petitioners remitted to their families in Greece more than \$1,500,000.00.

Petitioners paid \$5,200,000.00, in Greece, for repairs to and supplies for their vessels within that year.

In its operations, Petitioners are obligated to comply with the body of Greek law governing shipping, some of which has been referred to in Petitioners' brief.

The Greek government requires Greek flag vessels to be inspected by Greek officials, which are similar to our Coast Guard, or by a recognized transportation society.

Under Greek law, Greek flag vessels must be owned at least 50% by Greek citizens.

Greek flag vessels must be manned by Greek crew members unless Greek seamen are not available and only

then may they have as many as one-quarter of the crew alien.

Greek vessels must submit the smooth deck log for inspection by Greek consuls at each port of call.

Greek vessels must report all accidents to the Greek consul or the Coast Guard, depending on whether in a Greek port or a foreign port.

In the event of a casualty to the vessel, the Master must furnish the Greek consul with a seaworthy certificate from the classification society before the vessel can leave.

The Greek shipowners must contribute to N. A. T., a fund for all seamen, both Greek and alien. This is a pension fund similar to our social security.

Under Article 13 of Greek Law 2687/1953, if a vessel be built with foreign capital obtained under this law, any foreign corporation which is owned at least 50% by Greek citizens must submit to a thorough investigation and have an agent in Greece who is a permanent resident of Greece. He must make a sworn statement as to Greek interests and he is responsible to the Greek government for any violation of Greek law. In order to avoid the characterization of the Greek flag as a flag of convenience . . . the Ministry of Merchant Marine has, by permanent circular, set out the full documentation required to prove Greek interest.

These are but some of the obligations imposed on Greek flag owners. They serve to illustrate that Petitioners' contacts with Greece are neither casual nor evasive. They are sufficient to demonstrate that, truly, the Greek flag is no flag of convenience. It is a bona fide flag for the benefit of Greek nationals whereunder the shipowner undertakes substantial burdens and obligations. Petitioners here, having assumed the obligations of a Greek

shipowner since 1934 and having carried out these responsibilities, do not wish to assume the additional burdens of the American shipowner as well. Indeed, they should not be required to do so.

Respondent's efforts to disparage the flag of Greece and to make of it an escape hatch from responsibility is not only inappropriate but inaccurate.

Respectfully submitted

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